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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,546	07/17/2003	Bryan N. DeMatteo	1/1	1328

7590 03/08/2005

BRYAN N. DEMATTEO
68-12 YELLOWSTONE BLVD.
APT. 2W
FOREST HILLS, NY 11375

EXAMINER

BEAULIEU, YONEL

ART UNIT	PAPER NUMBER
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3661

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/621,546

Applicant(s)

DEMATTEO, BRYAN N.

Examiner

Yonel Beaulieu

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– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/17/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claim Objections

Claims 15 and 17 are objected to because of the following informalities: with regard to claim 15, under MPEP, § 608.01(m), each claim ...must end with a period (see *Fressola v. Manbeck* – 36 USPQ2d 1211 D.D.C 1995). With regard to claim 17, the dependency is not proper (claim 17 cannot depend on itself). Appropriate correction is required.

Claim Rejections - 35 USC § 112

Claims 2 – 4, 14, and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The phrase “may be” in claims 2 and 14, lines 5 and 1, respectively, is not clear because it is not readily understood as to what would trigger the ‘processing arrangement’ to trigger the ‘display’ to enter the profile management mode. Claims dependent upon claim 2 are necessarily rejected.

Regarding claim 17, the phrase “in particular” (line 2, all four occurrences) renders the claim indefinite because it is unclear whether the limitation(s) following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1 – 6, 8, 10 – 15, 19, and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Ames et al. (US 4,787,040).

Regarding claims 1, 10, 19, and 20, Ames et al. teaches a reconfigurable display arrangement of a vehicle, the vehicle comprising a cabin to receive at least one passenger (see fig. 2), the arrangement (see at least figs. 1/20) comprising means (12) receiving configuration input from at least one user (col. 5, lines 55 – 58 at least); means (330) electrically and communicatively coupled to the arrangement to process the configuration information (col. 20, lines 45 – 53 at least); means (34) electrically and communicatively coupled to the processing arrangement (see fig. 20; col. 6, lines 25 – 28 at least); wherein the arrangement displays at least one characteristic of the vehicle in accordance with profile information assigned to a selected profile of a plurality of profiles (col. 5, lines 26 – 62).

Regarding claim 2, Ames et al. further teaches the arrangement including a microprocessor (50 or 80C88 – 82C55 – see table in col. 4), a memory arrangement

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(52, 56, 61, and 62) to store a software to be executed on the microprocessor all connected to the display driver (34; overall, note col. 7, line 26 – col. 8, line 15 at least).

Regarding claim 3, Ames et al. further teaches reception of electronic signals from associated vehicle sensors (abstract; fig. 3; col. 6, lines 9 – 25 at least).

Regarding claims 4 – 6 and 12, Ames et al.'s electronic signals include *at least one* signal characterizing a temperature of ambient air inside the vehicle's driving compartment (note climate control block 11; note col. 5, lines 26 – 62 at least); the profile being automatically selected (col. 22, lines 50 – 56 and col. 24, lines 19 – 25).

Regarding claim 8, Ames et al. further teaches profile identification arrangement situated in the vehicle (note table in col. 4; col.14, lines 16 – 48; col. 22, lines 62 – 68; col. 24, lines 31 – 39 at least).

Regarding claims 11, 13 and 14, Ames et al. further teaches permitting profiles editing or varying a display format (addition, deletion and changes; note abstract and EEPROM 51a in fig. 6A at least; col. 7, lines 1 – 10).

Regarding claim 15, Ames et al. further teaches displaying one characteristic and operating state including an occurrence of an event (col. 21, lines 44 – 50 at least).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 9, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ames et al. (US 4,787,040).

As to claim 7, Ames et al. is not explicit on the transponder. However, Ames does teach polling which suggests periodically determining the status of an event/device. It would have been obvious to one of ordinary skill in the art at the time of the invention what is taught by Ames is at least fully functionally equivalent to the claimed invention because the same "detection" end result is achieved.

As to claim 8, Ames fail to explicitly recite the inclusion of a weight sensor in the vehicle's seat. However, including a weight sensor in a seat would have been obvious to one of ordinary skill in the art as being old and well known (note Ames' page 2, left col., lines 8 – 10 for example).

As to claims 16 and 17, because Ames teaches display reconfiguration , including sub-profiles in the plurality of profiles and time of the event would have been

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obvious to one of ordinary skill in the art at the time of the invention as only involving routine skill in the art.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonel Beaulieu whose telephone number is (703) 305-4072. The examiner can normally be reached on M-R, from 0900-1600.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas BLACK can be reached on (703) 305-8233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Y. BEAULIEU
AU 3661

Yonel Beaulieu
YONEL BEAULIEU
PRIMARY EXAMINER